

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5223 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Tarik Alam @ Md. Tarique Alam, Son of Mojibur Rahman,
Resident of Village- Parliya, Police Station- Kadwa, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Zahedi Khatoon, wife of Rasid Alam, Daughter of Md. Zahid
Alam, Resident of Village- Pothiya Dhangaon, P.O.- Zoki, P.S.- Kadwa,
District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 354 of the
Indian Penal Code.

The complainant had filed Complaint Case No.2583
of 2014 against her husband and other in-laws including the
petitioner, who is Dewar of the complainant, for the offences
under Section 498A of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act, and that case is already going on.
Thereafter, the present complaint based allegation is that when the



complainant was going on the roadside the petitioner and two others dragged her towards the field and the petitioner committed rape on her.

Submission is that just to pressurize the false case was lodged suppressing the background of the allegation.

Considering the aforesaid fact, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/Successor Court in connection with Complaint Case No.49 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Mkr./-

(Birendra Kumar, J)

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